Document No. 3893
Voted at Meeting of 11/29/79

BOARD OF APPEAL REFERRALS November 29, 1979

1.	Z-4561	Marie Sullivan 339 K Street, South Boston
2.	Z-4563	Jacob F. Young 39 School & 15 Summer Streets, Charlestown
3.	Z-4565	Austin O'Connor 84 Harvard Avenue, Allston
4.	Z-4567	Roman Catholic Archdiocese of Boston 1288 Hyde Park Avenue, Hyde Park
5.	Z-4569	Robert Susi 2-3 Linden Court & 8-12 Ellsworth St., Dorchester
6.	Z-4583	Mary D. Dobrov 250 Newbury Street, Boston
7.	Z-4601	Bernadette Kofidis 302 Centre Street, Jamaica Plain
8.	Z-4602	134-140 Beach Street Trust 134-140 Beach Street, Boston
9.	Z-4603	Commonwealth of Massachusetts Action for Boston Community Development 105 South Huntington Avenue, Jamaica Plain
10.	Z-4614	Louise Lowe 9 Balfour Street, Dorchester
11.	Z- 4615-4618	Lewis Tire Co., Inc. Lewis Family Realty Trust/ John Kiley 165-173 Fairmount Ave., 691-695-703 Truman Highway, Hyde Park

MEMORANDUM November 29, 1979

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert J. Ryan, Director

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 12/11/79

Z-4561
Marie Sullivan
339 K Street, South Boston
Near East Seventh Street

Three story masonry structure - H-1-50

District(s): apartment H-1-50 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from one family to three family dwelling.

Violation(s):

Section		Required	Proposed
8-7.	Any dwelling converted for more families which does not meet the requirements of lot area and open sapce is forbidden in an H-1-50 District.		
14-2	Lot area is insufficient	7,000 sf.	1,251 sf.
18-1.	Open Space is insufficient	400 sf.	193 sf.

Proposal is consistent with residential character of the neighborhood. Abuttors have no objections. Recommend Approval.

VOTED: In Reference to Petition Z-4561, brought by Marie Sullivan, 339 K Street, South Boston, for a forbidden use and two variances for change of occupancy from one family dwelling to three family dwelling in an apartment (H-1-50) District, the Boston Redevelopment Authority recommends approval. Proposal is consistent with residential character of the neighborhood.

GATE OF HEAVEN EL. & HIGH SCHOOL (R.C.)
GATE OF HEAVEN CHURCH (R.C.)
MINNIE CT.
EMERSON
CHURCH OF THE SAVIOUR
FIFTH
STREET
ST. PETER SCHOOL (EL.)
BECKLER AVENUE
SIXTH
BURRILL PLACE
WEBB PK.
SEVENTH
SPRINGER
BREWSTER
BAYVIEW PL.
NORCROSS PL.
HATCH
TICKNOR
ROAD
MARINE
COLUMBIA
DEADY'S LANE
BOULEVARD
Z-4561
339 K STREET
(S.B.)

Board of Appeal Referrals November 29, 1979

Hearing: 12/11/79

Z-4563
Jacob F. Young
39 School & 15 Summer Streets
Charlestown

Three story frame structure - H-1

District(s): apartment H-1 ____ general business ____ industrial ____
residential ____ local business ____ waterfront ____
single family ____ manufacturing ____

Purpose: Change occupancy from six to eight apartments.

Violation(s):

Section		Required	Proposed
14-2.	Lot area is insufficient	12,000 sf.	2,080 sf.
15-1.	Floor area ratio is excessive	1.0	1.7
17-1.	Open space is insufficient	400 sf.	283 sf.

Property is located opposite Warren Prescott Elementary School. Addition of two basement apartments is unwarranted and totally inconsistent with one-three family neighborhood density. Proposal would further aggravate existing traffic problems. Neighbors are opposed. Recommend Denial.

VOTED: In Reference to Petition Z-4563, brought by Jacob F. Young, 39 School & 15 Summer Streets, Charlestown for three variances for change of occupancy from six to eight apartments in an Apartment (H-1) District, the Boston Redevelopment Authority Recommends Denial. Property is located opposite Warren Prescott Elementary School. Addition of two basement apartments is unwarranted and totally inconsistent with one-three family neighborhood density. Proposal would further aggravate existing traffic problems. Neighbors are opposed.

Z-4563
39 SCHOOL ST.
15 SUMMER ST.
(CHSN.)
BUNKER HILL CEMETERY
BOSTON CHARLESTOWN HOUSING DEVELOPMENT AUTHORITY MASS. 2-1
WALFORD WAY
O'REILLY WAY
POLK
ELM
MYSTIC
PEARL
HILL
BARTLETT
SULLIVAN
HIGH
SALEM
PEARL
HANCOCK
TRENTON
CONCORD
MONUMENT
SUMMER ST.
LAUREL ST.
CEDAR
CROSS
GREEN
SCHOOL ST.
LAWNWOOD PLACE
MAIN
METROPOLITAN
LAWRENCE
WOOD
MONUMENT SQUARE

Board of Appeal Referrals November 29, 1979

Hearing: 12/11/79 Z-4565
Austin O'Connor
84 Harvard Avenue, Allston
At Gardner Street

Three story masonry structure - B-1

District(s): apartment_____ general business B-1 industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Change occupancy from six apartments and dentist office to twelve apartments.

Violation(s):

Section		Required	Proposed
8-7.	Dwelling converted for more families which does not meet the requirements of lot area, open space and off street parking is forbidden in a B-1 District.		

Proposal is consistent with the mixed commercial - Residential Area. Off street parking is provided. Recommend Approval.

VOTED: In Reference to Petition Z-4565, brought by Austin O'Connor, 84 Harvard Avenue, Allston, for a forbidden use for change of occupancy from six apartments and dentist office to twelve apartments in a General Business (B-1) District, the Boston Redevelopment Authority recommends approval. Proposal is consistent with the mixed commercial - residential area. Off street parking is provided.

Z-4565
84 HARVARD AVE.
(ALLSTON)
HARVARD
HARVARD TERRACE
BRIGHTON
AVENUE
GARDNER
FARRINGTON
AVENUE
PRATT
ASHFORD
STREET
HIGHGATE
STREET
POST OFFICE
FIRE STATION
WASHINGTON ALLSTON EL SCHOOL
THOR TERRACE
WILTON TERRACE
DENBY ROAD
RUGG ROAD
EMERY ROAD
CRAFTMAN STREET
M.B.T.A.
CAMBRIDGE
PARKING
WALL
FDN
PARK VALE AVENUE
QUINT STREET
HIGGINS STREET
ALLSTON STREET
HOLLIS PLACE
BOSTON

Board of Appeal Referrals November 29, 1979

Hearing: 12/18/79

Z-4567
Roman Catholic Archdiocese of Boston
1288 Hyde Park Avenue, Hyde Park
At Oak Street

Two story masonry structure - R-.5

District(s): apartment_____ general business_____ industrial_____
residential R-.5 local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Change occupancy from school and auditorium to school, auditorium and day care center.

Violation(s):

Section	Required	Proposed
8-7. Day care center is conditional in an R-.5 district.		

Site is appropriate. Elementary school building will accommodate 24 children for day care. No opposition. Recommend approval.

VOTED: In Reference to Petition Z-4567, brought by Roman Catholic Archdiocese of Boston, 1288 Hyde Park Avenue, Hyde Park, for a conditional use for a change of occupancy from school and auditorium to school, auditorium and day care center in a residential (R-.5) District, the Boston Redevelopment Authority Recommends Approval. Site is appropriate for this beneficial use.

Z-4567
1288 HYDE PARK AVENUE
(H.P.)
WINTHROP STREET
PARKING
SALVATION ARMY
POLICE STA.
PROVIDENCE AVENUE
FIRE STA.
HYDE PARK MUN. BLDG.
CENTRAL
CHRIST EPISC CHURCH
MAPLE STREET
OAK STREET
FAIRMOUNT
MOST PRECIOUS BLOOD CHURCH
PINGREE STREET
DANA AVENUE
PINE STREET
WOODLAND
WALNUT STREET
JACKSON STREET
FACTORY STREET
HARTFORD
NEW HAVEN
HYDE PARK
BROOK
MOTHER
BYPASS

Board of Appeal Referrals November 29, 1979

Hearing: 12/18/79 Z-4569
Robert Susi
2-3 Linden Court &
8-12 Ellsworth St., Dorchester

10,312 square feet of land R-.8

District(s): apartment_____ general business_____ industrial_____
residential R-.8 local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Use premises for parking and storage of towed cars, erect 7' chain link fence.

Violation(s):

Section		Required	Proposed
8-7.	Parking and storage of towed automobiles for fee in front yard of a lot within ten feet of side and rear lot lines of adjoining residential lots is forbidden in an R-.8 District.		

Further encroachment of non-conforming uses in this residential area is contrary to the residential revitalization efforts and objectives of neighborhood association and community development corporation. Neighborhood is opposed. Recommend Denial.

VOTED: In Reference to Petition Z-4569, brought by Robert Susi, 2-3 Linden Court & 8-12 Ellsworth Street, Dorchester, for a forbidden use to park and store towed cars for fee in a Residential (R-.8) District, the Boston Redevelopment Authority recommends denial. Further encroachment of non-conforming uses in this residential area is contrary to the residential revitalization efforts and objectives of Neighborhood Association and Community Development Corporation. Neighborhood is opposed.

Z-4569
2-3 LINDEN CT.
8-12 ELLSWORTH ST
(DOR.)
FREEPORT
AVENUE
STREET
WAY
LINDEN CT.
ELLSWORTH
KIMBALL
ORCHARDFIELD
MARLIN
PARKING
STACKS
M B T A
NEW YORK NEW HAVEN & HARTFORD
RAILROAD
SOUTHEAST
EXPRESSWAY
MUD
DORCH

Board of Appeal Referrals November 29, 1979

Hearing: 12/4/79

Z-4583
Mary D. Dobrov
250 Newbury St., Boston
Near Fairfield Street

Four story structure - B-4-70

District(s): apartment_____ general business B-4-70 industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Change occupancy from six apartments, doctor's office and bake shop to six apartments, doctor's office, bake shop and restaurant.

Violation(s):

Section	Required	Proposed
8-7. Restaurant is conditional in a B-4-70 District.		

Small restaurant will be operated in connection with bakery. Proposal is compatible with similar local commercial uses and has approval of the Back Bay Architectural Commission. The Back Bay Association and the Neighborhood Association of the Back Bay have taken no official position at this time. Recommend Approval with Provisos.

VOTED: In Reference to Petition Z-4583, brought by Mary D. Dobrov, 250 Newbury Street, Boston, for a conditional use for change of occupancy from six apartments, doctor's office and bake shop to six apartments, doctor's office, bake shop and restaurant in a General Business (B-4-70) District, the Boston Redevelopment Authority recommends approval with the following provisos: that restaurant capacity not exceed 30 persons; that neither entertainment nor alcoholic beverages be allowed; that the restaurant operation terminate at 7 PM; that trash compactor be installed; that all deliveries and trash collections occur between 9 AM & 4 PM; that the conditional use extend to appellant only and expire upon sale, lease or other disposition of the property.

MARLBOROUGH
COMMONWEALTH
AVENUE
NEWBURY
STREET
ROAD
ALLEY
RAMP
WALL
MASSACHUSETTS M.T.A. STATION
AVE.
POLICE STATION 16
FIRE STATION ENGINE 33 LADDER 15
RAILROAD
CAMBRIA
DALTON
ST CECILIA
SCOTIA
CHARLES NEWCOMB SQUARE
ALBANY
BOYLSTON
SHERRY BILTMORE HOTEL
ST CECILIA R C CHURCH
RING
CITY AUDITORIUM
EXHIBIT AREA
BLOCK D
PRUDENTIAL TOWER
HOTEL TOWER
SKATING RING
Z-4583
250 NEWBURY ST.
(B.P.)

Board of Appeal Referrals November 29, 1979

Hearing: 12/4/79

Z-4601
Bernadette Kofidis
302 Centre Street, Jamaica Plain
Near Estrella Street

2½ story structure - R-.8

District(s): apartment_____ general business_____ industrial_____
residential R-.8 local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Change occupancy from three family dwelling and stores to three family dwelling, store and restaurant - bakery.

Violation(s):

Section	Required	Proposed
9-2. Change in a non conforming use requires Board of Appeal Hearing.		

Store is presently vacant. Building and proposed use are part of and consistent with Hyde Square Commercial District. Property and overall street appearance will be improved by proposed use. Nearby residents have raised no opposition. Petitioner should review signage plans with Hyde Square Neighborhood Business District Design Committee. Recommend Approval with Proviso.

VOTED: In Reference to Petition Z-4601, brought by Bernadette Kofidis, 302 Centre Street, Jamaica Plain, for a change in a non conforming use for change of occupancy from three family dwelling and stores to three family dwelling and stores to three family dwelling, store and restaurant - Bakery in a Residential (R-.8) District, the Boston Redevelopment Authority recommends approval provided signage plans are submitted to the Authority for Design Review. Petitioner should also review signage plans with Hyde Square Neighborhood Business District Design Committee.

PARKING AREA
PARKING AREA
PARKING AREA
PARKER
PLAYGROUND
STACK
STACK
EXTENSION
STREET
CENTRE
AVENUE
ECHO STREET
BICKFORD
STREET
RITCHIE
BUS STATION
COLUMBUS
ESTRELLA
AVENUE
PLACE
AVENUE
STREET
STREET
STREET
PRIESING
ROYS
WISE
ST
STRONG
ST
STREET
STREET
COLUMBUS
AMORY
AVENUE
AMORY
TER
HOFFMAN
ST
CHESTNUT
ST
ST
ATHERTON
DIMOCK
BRAGDON
ST
AVENUE
Z-4601
302 CENTRE ST
(J.P.)

Board of Appeal Referrals 11/29/79

Hearing: 12/4/79

Z-4602
134-140 Beach Street Trust
134-140 Beach Street, Boston
Near South Street

Five story structure - M-8

District(s): apartment_____ general business_____ industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing M-8

Purpose: Change occupancy from leather sales to fourteen apartments, mercantile retail and offices, storage.

Violation(s):

Section	Required	Proposed
8-7. Multi-family dwelling is conditional in an M-8 District.		

Proposal would convert occupancy to fourteen condominium units with mercantile - storage confined to basement and first floor. A staff report on the former leather district recommends commercial use of the structure. Recommends Denial as submitted.

VOTED: In Reference to Petition Z-4602, brought by 134-140 Beach Street Trust, 134-140 Beach Street, Boston, for a conditional use for change of occupancy from leather sales to fourteen apartments, mercantile retail - offices and storage in a Manufacturing (M-8) District, the Boston Redevelopment Authority recommends denial as submitted. Authority report on former leather district recommends commercial use of the structure.

Z-4602
134-140 BEACH ST.
(B.P.)
SOUTH STATION
PLATFORMS
DEWEY SQUARE
EXP ENTRANCE
PARKING AREA
CHURCH GREEN
BEACH
ESSEX
TUFTS
EAST
LINCOLN
UTICA PL
KNEELAND
ATLANTIC
DORCHESTER
AVENUE
STREET
PLACE

Board of Appeal Referrals November 29, 1979

Hearing: 12/18/79

Z-4603
Commonwealth of Massachusetts
Action for Boston Community Development
105 South Huntington Avenue, Jamaica Plain
Near Heath Street

Three story structure R-.8

District(s): apartment_____ general business_____ industrial_____
residential R-.8 local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Change occupancy from gymnasium & school to gymnasium, school, accessory offices, day care center, infant nursery.

Violation(s):

Section		Required	Proposed
8-7.	Day Care Center and infant nursery are conditional in an R-.8 District.		

Day Care Center is existing; use is consistent with the institutional (hospitals, schools, homes) character of the area. Day Care and nursery facilities will accommodate 18 children and 20 infants respectively. Site is centrally located proximate to public transportation. No residential abuttors; institutional abuttors have no objection. Recommend Approval.

VOTED: In Reference to Petition Z-4603, brought by Commonwealth of Massachusetts & Action for Boston Community Development, 105 South Huntington Avenue, Jamaica Plain, for change of occupancy from gymnasium, school, accessory offices, Day Care Center and infant nursery in a Residential (R-.8) District, the Boston Redevelopment Authority recommends approval. Site is centrally located proximate to public transportation. Use is consistent with institutional character of the area.

Z-4603
105 SOUTH HUNTINTON AV
(J.P.)
METROPOLITAN
RIVERWAY
JAMAICAWAY
HUNTINGTON
AVENUE
SHEPHERD
STREET
STOCKWELL
FRAWLEY
HILLSIDE
COPENGER ST
PARKER HILL TER
PARKER HILL
PARKING AREA
COLBURN
STREET
SOUTH METROPOLITAN
ELDORA
STREET
SUNSET
SACHEM
WAYMOUNT
PARKER HILL
PARKER HILL PLACE
PARKER HILL MEDICAL CENTER
NEW ENGLAND BAPTIST HOSPITAL
HUNTINGTON TRANSIT
CRAFTSON WAY
AVENUE AUTHORITY
ELLINGWOOD
FISHER
STREET
HEATH
PINE GROVE TOP
STREET
LONGWOOD HOSPITAL
TRINITY CHURCH
HOME FOR THE AGED
BOSTON NURSERY
FOR
OLMSTED
PARK

Board of Appeal Referrals November 29, 1979

Hearing: 12/11/79

Z-4614
Louise Lowe
9 Balfour St., Dorchester
Near Wayland Street

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from three family dwelling to four apartments.

Violation(s):

Section		Required	Proposed
8-7.	Any dwelling converted for more families which does not meet the requirements of lot area is forbidden in an H-1 District.		
14-2.	Lot area is insufficient.	8,000 sf.	3,773 sf.

Additional unit will allow daughter to care for invalid mother. Abuttors have no objection. Recommend Approval.

VOTED: In Reference to Petition Z-4614, brought by Louise Lowe, 9 Balfour Street, Dorchester, for a forbidden use and variance for change of occupancy from three family dwelling to four apartments in an apartment (H-1) District, the Boston Redevelopment Authority recommends approval. Additional unit will allow daughter to care for invalid mother. No adverse affect on surrounding properties.

Z-4614
9 BALFOUR ST
(DOR.)
ST JOHN ROMAN CATHOLIC CHURCH
ST JOHN SCHOOL (E1)
PHILIP'S BROOKS SCHOOL (E1)
ROXBURY HEBREW SCHOOL
GRANDE HALL
SHAWMUT THEATRE
SAVIN STREET
WOODCLIFF
DOVE STREET
DOVE COURT
DACIA STREET
DALKEITH STREET
BALFOUR STREET
HOWARD AVENUE
WAYLAND
CUNNINGHAM
WOODLEIGH STREET
SARGENT
LEVERETT TER
QUINCY
HOLBORN
GASTON
FAYSTON
LAWRENCE
PERTH STREET
DUNKELD STREET
SWEET FERN TER
OTISFIELD
BLUE HILL
CRESTON
INTERVALE
KINEO
SYNAGOGUE

Board of Appeal Referrals November 29, 1979

Hearing: 12/11/79

Z-4615-4618
Lewis Tire Co. Inc.
Lewis Family Realty Trust/John Kiley
165-173 Fairmount Avenue
691-695-703 Truman Hwy., Hyde Park

One Story structures S-.5 & L-.5

District(s): apartment ____ general business ____ industrial ____
residential ____ local business L-.5 waterfront ____
single family S-.5 manufacturing ____

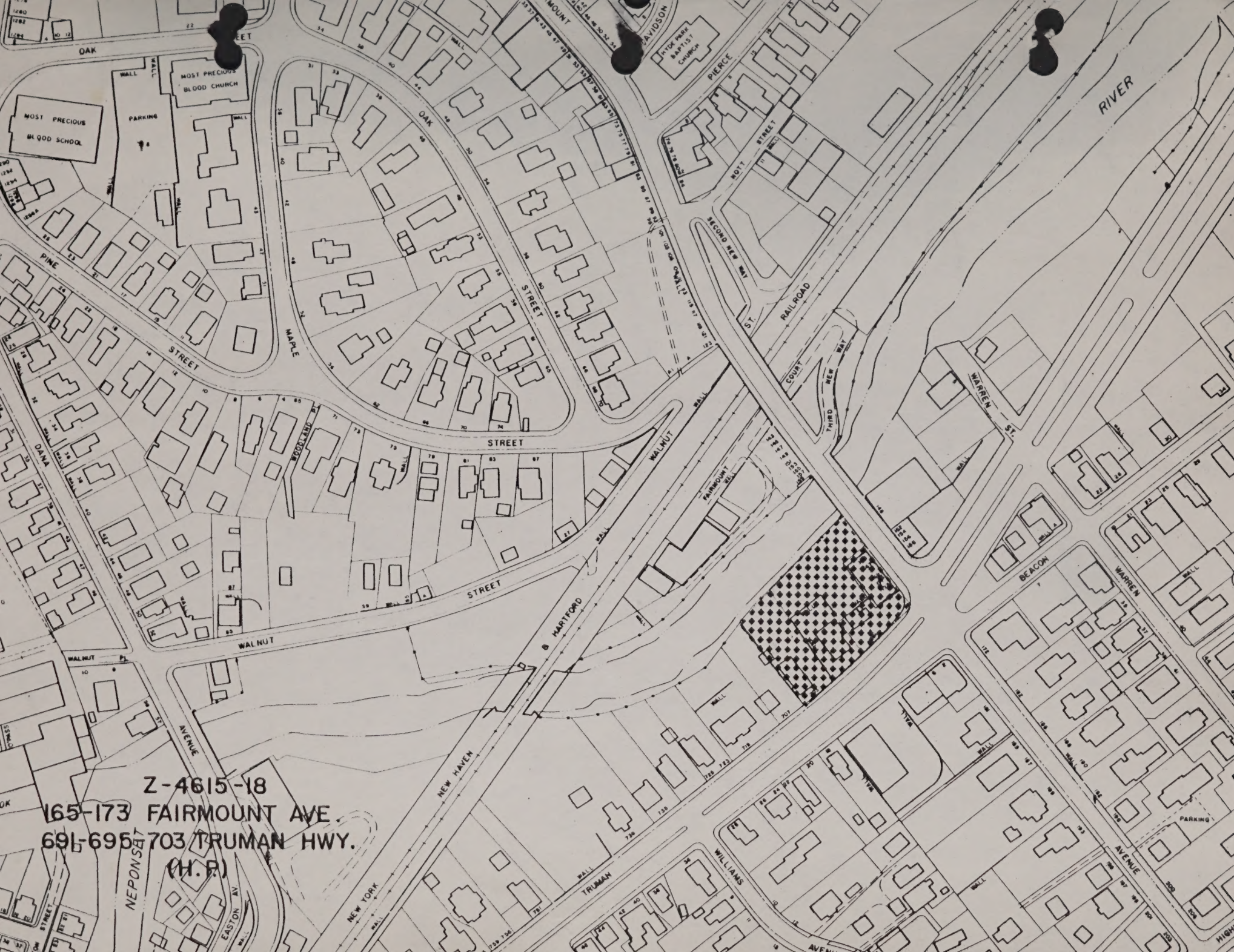
Purpose: Change occupancy; from stores to auto service center (sales, repair, maintenance of new & used cars); from garage and office to auto service center (sale, repair, outdoor display of new and used cars and tires); from garage and office to office, showroom & indoor sales storage of new and used automotive parts,

Violation(s): accessories and tires. Use premises for ancillary parking of new and used vehicles for retail sale.

Section	Required	Proposed
8-7.	Sale of new or used motor vehicles is forbidden in an L-.5 District.	
8-7	Repair shop garage is conditional in an L-.5 District.	
8-7	Outdoor sale of motor vehicles is forbidden in an L-.5 District	
8-6.	Extension of a conditional use requires Board of Appeal Hearing.	
8-7.	Ancillary parking is forbidden in an S-.5 District.	

Immediate area is mixed residential - commercial. Proposal will provide a local need and improve this corner property which has been long neglected. Abuttor and neighbors have no objections. Recommend Approval with Provisos.

VOTED: In Reference to Petitions Z-4615-4618, brought by Lewis Tire Co Inc., Lewis Family Realty Trust & John Kiley for three forbidden uses and three conditional uses for change of occupancy from stores to automotive service center; from garage to automotive service center, sale, repair and outdoor display of new and used cars and tires; from garage to office, showroom, indoor sale and storage of new and used automotive parts, accessories, tires; and to use premises for ancillary parking of new and used cars for retail sale in single family (S-.5) and Local Business (L-.5) District, the Boston Redevelopment Authority recommends approval with the following provisos: that parking area be screened with stockade fencing; that plans for the exterior be submitted to the Authority for Design Review.


Z-4615-18
165-173 FAIRMOUNT AVE.
691-695-703 TRUMAN HWY.
(H.P.)
OAK
MOST PRECIOUS BLOOD SCHOOL
MOST PRECIOUS BLOOD CHURCH
PARKING
PINE
STREET
MAPLE
WOOLLAND
DANA
WALNUT
WALNUT PL.
AVENUE
NEPONSET
EASTON AV
NEW YORK
NEW HAVEN
HARTFORD
TRUMAN
WILLIAMS
AVENUE
FAIRMOUNT
MOUNT
DAVIDSON
HYDE PARK BAPTIST CHURCH
PIERCE
BOTT STREET
SECOND NEW WAY
ST.
RAILROAD
COURT
THIRD
NEW WAY
WARREN ST.
BEACON
WARREN
AVENUE
PARKING
RIVER